

ROUTING AND TRANSMITTAL SLIP

Date

3/13/92

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Initials

Date

1. Superfund Removal
2. Staff 3HW34J. J. J. J.
(Red)

3. 30

4.

5.

Action	File	Note and Return
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As Requested	For Correction	Prepare Reply
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Coordination	Justify	

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Thanks!

DO NOT use this form as a RECORD of approvals, concurrences, disposals,
clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)

Room No.—Bldg.

Benjamin Kalkstein

3RC00

Phone No.

9853

5041-102

OPTIONAL FORM 41 (Rev. 7-76)

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FPMR (41 CFR) 101-11.203

GPO : 1987 O - 196-409

ORIGINAL
(Red) PFE

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
841 Chestnut Building
Philadelphia, Pennsylvania 19107

SUBJECT: Pennzoil Products Company *BK*
SPCC Docket No. WV-89-009

FROM: Benjamin Kalkstein
Regional Judicial and Presiding Officer (3RC00)

TO: Interested Agency Staff and
Office of Regional Counsel

DATE: MAR 13 1992

I have been designated as the Presiding Officer in a proceeding against the subject Respondent under Section 311(j)(2) of the Clean Water Act, 33 U.S.C. § 1321(j)(2), involving the Chief of the Superfund Removal Branch, members of his staff, Assistant Regional Counsel Judith R. Hykel, their witnesses and other EPA employees who participated in the preparation, investigation or deliberations concerning the Notice of Violation and Proposed Civil Penalty that is the subject of this proceeding. The proceeding is governed by 40 C.F.R. Part 114, "CIVIL PENALTIES FOR VIOLATION OF OIL POLLUTION PREVENTION REGULATIONS."

Part 114 contains no express prohibition on Ex Parte communications (written or oral communications relating to the merits of the proceeding), but the Presiding Officer has "... the duty to conduct a fair and impartial hearing..." under 40 C.F.R. § 114.9. Ex Parte communications could make it difficult to fulfill this duty. Accordingly, please avoid discussion of this case in my presence.

INTERESTED AGENCY STAFF

Superfund Removal Branch Staff (3HW30,3HW31,3HW32,3HW33,3HW34)
Office of Regional Counsel (All)